



**Organizations Concerned  
about  
Rural Education**

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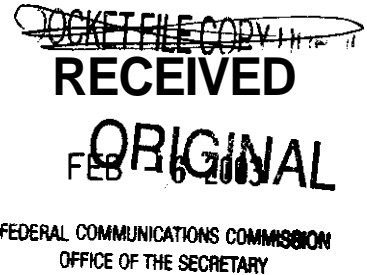
American Association of School  
Administrators  
American Association of state  
Colleges and Universities  
American Library Association  
Communicating for Agriculture  
Forest Counties School Coalition  
Lightspan, Inc.  
MW Financial, Inc.  
National Association of Counties  
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Impacted Schools  
National Association of Secondary  
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National Farmers Union  
National Grange  
National Indian School Boards  
Association  
National Rural Education Association  
National Rural Electric Cooperative  
Association  
National School Boards Association  
North Country Education Foundation  
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Rebuild America's Schools  
Rural School and Community Trust  
Rural Telephone Finance Cooperative  
SBC Telecommunications, Inc.  
US West Communications  
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**EX PARTE OR LATE FILED**

February 6, 2003

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, SW

Washington, DC 20554



**Re: Ex Parte Comments. In the Matter of CC Docket No. 01-338,  
Review of the Section 251 Unbundling Obligations of Incumbent  
Local Exchange Carriers; CC Docket No 96-98, Implementation of  
the Local Competition Provisions of the Telecommunications Act of  
1996; and CC Docket No 98-147, Deployment of Wireline Services  
Offering Advanced Telecommunications Capability.**

Dear Secretary Dortch:

Organizations Concerned about Rural Education (OCRE) represents the interest of educators, students and learning institutions in rural communities throughout the United States. We remain steadfast in our commitment to ensure students in rural America have access to modern schools, quality teachers and first class resources. For this reason, we want to re-emphasize our view that learning and teaching in the 21<sup>st</sup> century also requires access to the Internet and to other advanced technologies.

OCRE has repeatedly urged the Commission to eliminate barriers to broadband deployment and increased competition in the long distance market. Telecommunications services must be available and affordable to rural schools and homes **just as** they are available to their urban and suburban counterparts. Yet, rural America is still neglected by many of the nation's telecommunications providers who opt to offer their services to business customers and high volume customers. Consequently, rural students, teachers and educational institutions have fewer choices and are at risk of being denied access to advanced services and technologies.

We believe that this unacceptable situation is compounded by the unbundled network elements platform (UNE- P) rules that you are currently reviewing. By requiring incumbent telephone companies to lease their networks to competitors at below wholesale rates, the FCC has unintentionally created an environment where competitors have no incentive to build their own facilities. Another unintended consequence is that the incumbent telephone providers are reluctant to invest in the networks or build them out for fear they will have to provide them to competitors at artificially low rates. From a pure business standpoint, we can't blame them.

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And yet, we see that UNE-P rules do not apply to wireless and cable providers and they have succeeded in building competing facilities. As a result, OCRE would like to see the incumbent telephone providers unleashed from rules that are outdated and which act as an obstacle to growth. We believe this will greatly enhance the competitive environment in rural America and provide our members with more services, more options and ultimately a better educational environment.

OCRE urges the FCC to eliminate the UNE-P rules and to pay particular attention to rural America during subsequent reviews to ensure that the changes have the desired outcome.

Sincerely,

A handwritten signature in black ink, appearing to read "Dale Lestina". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Dale Lestina  
President